1952

File No. 0. Local Fund Audit/52

Legal Deptt.

A **BRANCH**

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Subject:— Opinions under the Local Fund Audit Act, 1930

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Office of the R.L.A.

It is not quite clear from the papers when the payment of Rs. 56-4-0 was actually made whether before or after the letter dated 11th July 1950 from the Examiner, Local Fund Accounts, wherein the Board was advised not to pay the amount if the payment was not already made. However that may be, section 11(1) of the Bombay Local Fund Audit Act, 1930, can apply only in respect of the amount of any deficiency or loss caused; and obviously such deficiency or loss must be actual deficiency or loss at the date of making the order. The Examiner, Local Fund Accounts has pointed out that only a sum of Rs. 56-4-0 was paid by the Municipality when the order of the Director of Local Authorities was issued. That being so the order should be confined only to that sum.

2 It is for the Director of Local Authorities to consider independently on merits whether an order should be made even in respect of the balance which apparently was paid in February 1952.

Id./P.M.L. 9/5

Remembrancer of Legal Affairs.

U.O. to L.S.G. & P.H.D. No. 7896, dated 12th May 1952.

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